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OFFICE OF PETITIONS

Applicant: Inoue et al.

Appl. No.: 10/528,174

International Filing Date: August 2, 2004

Title: DIRECT-CURRENT POWER SUPPLY AND BATTERY-POWERED ELECTRONIC APPARATUS EQUIPPED WITH THE POWER SUPPLY

Attorney Docket No.: 8661-520US

Pub. No.: US 2006/0006850 A1

Pub. Date: January 12, 2006

This is a decision on the request for a corrected patent application publication under 37 CFR 1.221(b), filed on March 6, 2006, for the above-identified application.

The request is DISMISSED.

Applicant requests that the application be republished because the patent application publication contains a material error as the Office improperly inserted the word “AND” between the words “APPARATUS” and “EQUIPPED.”

37 CFR 1.221 (b) is applicable “only when the Office makes a material mistake which is apparent from Office records.... Any request for a corrected publication or revised patent application publication other than provided as provided in paragraph (a) of this section must be filed within two months from the date of the patent application publication. This period is not extendable.” A material mistake must affect the public’s ability to appreciate the technical disclosure of the patent application publication, to determine the scope of the patent application publication, or to determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent.¹

The error noted by requestor wherein the word “AND” is improperly inserted between the words “APPARATUS” and “EQUIPPED.” is an Office error but the mistake is not a material error under 37 CFR 1.221(b). The error is a typographical error, which is clearly understandable to one of ordinary skill in the art in reading the application and claims. The mistake is a minor typographical, which does not affect the understanding of the application. The mistake does not affect the public’s ability to appreciate the technical disclosure of the patent application

¹Changes to Implement Eighteen-Month Publication of Patent Applications, 65 FR 57023, 57038 (Sept. 20, 2000), 1239, Off. Gaz. Pat. Office Notices 63, 75 (Oct. 10, 2000) (final rule).

publication, or determine the scope of the patent application publication or determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent.

On September 19, 2005, a Filing Receipt was mailed by the Office, which listed the title as "DIRECT-CURRENT POWER SUPPLY AND BATTERY-POWERED ELECTRONIC APPARATUS AND EQUIPPED WITH THE POWER SUPPLY." To avoid this type of problem or to make a change in the title in the future, applicant's representative should make request a corrected filing receipt.

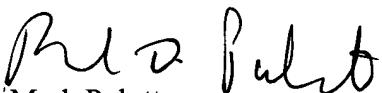
The applicant is advised that a "request for republication of an application previously published" may be filed under 37 CFR 1.221 (a). Such a request for republication "must include a copy of the application compliance with the Office's electronic filing system requirements and be accompanied by the publication fee set forth in § 1.18 (d) and the processing fee set forth in § 1.17 (i)." If the request for republication does not comply with the electronic filing system requirements, the republication will not take place and the publication fee set forth in § 1.18 (d) will be refunded. The processing fee will be retained.

Any request for republication under 37 CFR 1.221(a), must be submitted via the old EFS system and questions or request for reconsideration of the decision, should be addressed as follows:

By mail to: Mail Stop PGPUB
Commissioner for Patents
P.O. Box 1450
Alexandria, Va. 22313-1450

By facsimile: 571-273-8300

Inquiries relating to this matter may be directed to Mark Polutta at (571) 272-7709 (voice).


Mark Polutta
Senior Legal Advisor
Office of Patent Legal Administration
Office of the Deputy Commissioner
for Patent Examination Policy